

EVG-176US1

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: 10/674,163
Applicant: Michael A. Del Vecchio et al.
Filed: September 29, 2003
Title: SYSTEM AND METHOD FOR WITHDRAWING PERMEATE THROUGH A FILTER AND FOR CLEANING THE FILTER IN SITU
T.C./A.U.: 1723
Examiner: Joseph W. Drodge

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO 1449 (RP) submitted herewith.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

It is believed that U.S. Patent No. 6,627,082 (listed on the enclosed PTO Form 1449) is not required to be enclosed because this application was filed after June 30, 2003. Under 37 C.F.R. § 1.98(d), copies of the remaining patents and publications listed on the enclosed PTO Form 1449 are not required to be provided, because they were cited by or submitted to the Patent and Trademark Office in prior application Serial No. 09/939,085, filed August 24, 2001, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

09/21/2004 BABRAHA1 00000048 10674163

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More than three months have elapsed since the filing of the above-referenced application and a first (non-Final) Official Action has been received. No Final Action or Notice of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, the required fee set forth in 37 C.F.R. § 1.17(p) is provided herewith.

Respectfully submitted,

Joshua L. Cohen
Joshua L. Cohen, Reg. No. 38,040
Attorney for Applicants

JLC/ap

Enclosures: PTO Form 1449

Dated: September 20, 2004

<input checked="" type="checkbox"/> P.O. Box 980 Valley Forge, PA 19482 (610) 407-0700
<input type="checkbox"/> P.O. Box 1596 Wilmington, DE 19899 (302) 778-2500

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (703 872-9306) on the date shown below.

September 20, 2004
Joshua L. Cohen

PTO/SB/08A (AW 4/25/03) (D4-03)

Approved for use through 04/30/2004. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for Form 1448/PTO

Complete if Known

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

SHEET 1 of 2

Application Number

10/674,163

Filing Date

8/29/2003

First Named Inventor

Michael A. Del Vecchio et al.

Art Unit

1723

Examiner Name

Joseph W. Drodge

Attorney Docket No.

EVG-178US1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (If known)			
		US-6,045,698	04/04/2000	Cote et al.	
		US-6,214,231	04/10/2001	Cote et al.	
		US-5,607,593	03/04/97	Cote et al.	
		US-5,783,083	07/21/98	Henshaw et al.	
		US-5,639,373	06/17/97	Mahendran et al.	
		US-5,403,479	04/04/95	Smith et al.	
		US-5,248,424	09/28/93	Cote et al.	
		US-5,958,243	09/99	Del Vecchio et al.	
		US-5,643,455	07/97	Kopp et al.	
		US-5,372,722	12/94	Schowering et al.	
		US-4,921,610	05/90	Ford et al.	
		US-6,375,848	04/02	Cote et al.	
		US-6,331,251	12/01	Del Vecchio et al.	
		US-6,627,082	09/30/03	Del Vecchio et al.	
		US-			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (If known)				
		FR-2674448-A1 (partial translation)	10/02/1992	Lyonnaisse	entire document	<input checked="" type="checkbox"/>
		EP 1 088 792 A1	04/04/2001		Entire document	<input type="checkbox"/>
		DE 40 37 329	05/27/1992		entire document	<input type="checkbox"/>
		JP10057958 (English Abstract Only)	03/03/1998		entire document	<input checked="" type="checkbox"/>
		JP11128701 (English Abstract Only)	05/18/1999		entire document	<input checked="" type="checkbox"/>
		JP10057780 (English Abstract Only)	03/03/1998		entire document	<input checked="" type="checkbox"/>
		WO 98/46S33 (English Language)	10/22/1998			<input checked="" type="checkbox"/>
		WO 97/18887	05/29/1997			
		WO 98/37950	09/03/1998			
		JP 4-131, 182	05/1992			

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

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⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

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PTO/SB/058 (AW 4/25/03) (04-03)

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Substitute for Form 1449/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>		Application Number	10/874,163
		Filing Date	9/29/2003
		First Named Inventor	Michael A. Del Vecchio
		Art Unit	1723
		Examiner Name	Joseph W. Dradge
SHEET 2 of 2		Attorney Docket No.	EVG-176US1

NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		International Search Report of International Application No. PCT/US02/26665	<input type="checkbox"/>
		IWWQ 2 nd International Conference Advanced Wastewater Treatment, Recycling and Reuse, Milan, 14-16 September 1998, The ZenoGem® PROCESS FOR PHARMACEUTICAL WASTEWATER TREATMENT P.L. Cote, S. Monti, L. Belli and D. Bonelli	<input type="checkbox"/>
		Perry's Chemical Engineers' Handbook, International Edition 1984, McGraw-Hill, pp. 17-32	<input type="checkbox"/>
		Handbook of Industrial Membranes, First Edition, K. Scott, 1995 Elsevier Science Publishers LTD, pp. 78-85	<input type="checkbox"/>
		D. Thompson et al., "Demonstration of the Zenogem® Process for Municipal Wastewater Treatment," October, 1998, pages 1-8	<input type="checkbox"/>
		D. Mourato et al., "The Zenogem® Process for Municipal Sewage Treatment Plant Upgrades," October, 1996, pages 1-12	<input type="checkbox"/>
		Brochure, "Zenon: Treating Water and Wastewater with Membrane Technology." Printed 4/98.	<input type="checkbox"/>
		D. Mourato, "The Use of Immersed Membrane Bioreactor for Municipal Sewage Treatment Plant Upgrades and Pretreatment to Reverse Osmosis," April 1998, pages 1-11	<input type="checkbox"/>
		"Demonstration of the ZenoGem® Process at the Milton (Halton Region) WPCP," Zenon Environmental, Inc. No date	<input type="checkbox"/>
		Written Opinion for Int'l Appn. No. PCT/US00/15316 dated March 21, 2001.	<input type="checkbox"/>
			<input type="checkbox"/>

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